

DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention titled RETAIL BANANA STORAGE UNIT, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37CFR Section 1.56(a).

I hereby claim foreign priority benefits under 35 UCS Section 119 of the foreign application(s) for patent and inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

I hereby declare that all statements made herein of my knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As the named inventor, I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Jack C. McGowan, Reg. No. 28,358.

Send correspondence to: Jack C. McGowan, 246 High Street, Hamilton, Ohio 45011.

Sole inventor: Kenneth H. Bottom

Signature: Kenneth H. Bottom

Date: 11/21/2001

Residence: 16 LOCUST HILL RD, CINCINNATI OHIO 45245

Citizenship: USA

Post Office Address: SAME

2005-10-22 15:00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth H. Bottom

For: RETAIL BANANA STORAGE UNIT

Commissioner of Patents and Trademarks
Washington, D.C. 20231

SIR:

VERIFIED STATEMENT OF INDEPENDENT INVENTOR
CLAIMING SMALL ENTITY STATUS UNDER
37 CFR 1.9(F) AND 1.27(B)

I, Kenneth H. Bottom, hereby declare that I qualify as an independent inventor as defined by 37CFR 1.9(c) for purposes of paying small entity fees under 37 CFR 1.16, 1.17, 1.18 and 1.20.

I further declare that I have not assigned, granted, conveyed, or licensed and have no obligation under contract or law to assign, grant, convey, or license any rights in the invention entitled RETAIL BANANA STORAGE UNIT, to any person who could not likewise be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application for patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee for any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are

10051527 01200

believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 11/22/2001


Kenneth H. Bottom

20251527.01202